

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Endowments – Administration of Religious Institutions – Chowtries / Annadana Samajams run by Arya Vysya Community in the State of Andhra Pradesh – Exemption under sections 15 and 29 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act – Orders – Issued.

REVENUE (ENDOWMENTS.I) DEPARTMENT

G.O.Ms.No.1098

Dated 11-9-2008.
Read the following:-

1. G.O.Ms.No.1572, Revenue (Endts.I) Dept., Dated 24-10-2006.
2. From the Commissioner, Endowments Department
Lr.No.D2/3234/1997, Dated 2-7-2008.

<>>

ORDER:-

In the G.O. first read above, orders were issued granting exemption from the operation of sections 15 and 29 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act 1987 to Kanyaka Parameswari Temples maintained by Arya Vysya Association and Shirdi Saibaba Temples in the State.

2. Several matters have come up for hearing before the High Court as a batch on the appointment of the Executive Officer to the Chowtries and other Institutions maintained by Arya Vysya Community in different parts of the State of Andhra Pradesh.

3. The Hon'ble Supreme Court in its judgment dated 16-9-1999 in Sri Kanyaka Parameswari Anna Satram Committee and others Vs. Commissioner, Hindu Religious and Charitable Endowments Department and others reported in AIR 1999 Supreme Court 3567 has held that the Institution run by the Arya Vysya Community is a denominational one, and remanded the matter to High Court to decide the legality of the appointment of Executive Officer particularly in the light of article 26 of the Constitution of India and the Judgement of the Supreme Court in which it was held that the power of appointment of Executive Officer had to be exercised on the relevant data and necessary fact and material. It was also held that it could not be exercised just off-hand without there being any necessity of appointing an Executive Officer for the temple in public interest

4. When the batch of matters came up for hearing, the learned Judge enquired as to whether the Government intends to exempt the temples only, or whether the Government intends to exempt the Chowtries and Institutions managed by the Arya Vysya Community also.

5. The Government after careful examination hereby grant exemption to the Chowtries and Annadana Samajam of Andhra Pradesh maintained by Arya Vysya Community from the operation of Sections 15 and 29 of the Andhra Pradesh Charitable and Hindu Religious Institution and Endowments Act 1987, as indicated in the Notification appended to this order.

6. The Commissioner, Endowments, Hyderabad shall take necessary action accordingly in the matter.

7. The Notification appended to this order shall be published in the next issue of Andhra Pradesh Gazette.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SUDHIR,
PRINCIPAL SECRETARY TO GOVERNMENT.

To

The Commissioner, Endowments Department, Hyderabad.

The Commissioner, Printing and Stationary and Stores Purchase, Hyderabad.

All the Chowtries / Annadana Samajams in the State

through Commissioner, Endowments Department, Hyderabad.

Copy to PS to M (Endts.)

Copy to Law (E) Department.

SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER

APPENDIX

NOTIFICATION

In exercise of the powers conferred under section 154 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act 1987 (Act 30 of 1987) and as subsequently amended, the Governor of Andhra Pradesh hereby exempt the Chowtries / Annadana Samajams run by Arya Vysa Community from the operation of sections 15 and 29 of the said Act.

G. SUDHIR,
PRINCIPAL SECRETARY TO GOVERNMENT.

SECTION OFFICER